

## **REMARKS**

### **STATUS OF CLAIMS**

Claims 1-10 are currently are pending. Claims 1, 3, 5, 9, and 10 currently have been amended.

### **CLAIM OBJECTIONS**

The Examiner objected to claims 1-2, 5 and 9-10 because of informalities. Applicants herein have amended the objected claims to overcome the objections.

### **35 USC § 102**

Claims 1-2 and 6-9 are rejected under 35 USC § 102(e) as being anticipated by Sotoyama et al. (U.S. Pre Grant Publication 2004/0053069).

Applicants will file a certified translation of the priority document to perfect foreign priority under 35 USC § 119. Therefore, the effective priority date of the present application would be December 24, 2002. This date would be before the U.S. filing date of Sotoyama et al. which is August 8, 2003, therefore Sotoyama would not qualify as prior art under 35 USC § 102. In view of the above, Applicants request the Examiner to withdraw the anticipation rejection over Sotoyama et al. when Applicants file a translation of the certified copy of the foreign application.

### **35 USC § 103**

Claims 1 and 3-5 are rejected under 35 USC § 103(a) as being unpatentable over Sotoyama et al. in view of Robello et al. (U.S. Pre Grant Publication 2005/0123787).

Applicants desire to obtain the benefit of foreign priority under 35 USC § 119 and will file as stated above, a certified translation of the foreign application as soon as possible. With the perfection of foreign priority Robello et al. would not qualify as a prior art reference and therefore the 35 USC § 103(a) rejection would not be proper.

Applicants respectfully request withdrawal of the Examiner's obviousness rejection when the translation of the foreign priority document is filed.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Daniel S. Kim, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: October 26, 2005**

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